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Attorneys for PLAINTIFFS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARLEEN KENYON AND HARLON
KENYON,

Plaintiffs,

VS.

ELI LILLY AND COMPANY.

Defendants.

CASE NO. C 05 5268 MJJ

**STIPULATION TO AMEND COMPLAINT
FOR NEGLIGENCE, STRICT PRODUCTS
LIABILITY AND BREACH OF
WARRANTY
AND ORDER**

Plaintiffs ARLEEN KENYON and HARLAN KENYON (“Plaintiffs”) and Defendant ELI LILLY AND COMPANY, through their counsel of record, file this Stipulation to Amend Plaintiffs’ Complaint for Negligence, Strict Products Liability and Breach of Warranty.

On January 20, 2005 Plaintiffs filed a Complaint for Negligence, Strict Products Liability and Breach of Warranty. On May 4, 2006 Defendant Eli Lilly and Company filed an Answer to the Complaint.

1 Plaintiffs move to amend the original complaint to correct a typographical error in the spelling
2 of Plaintiff's name. Defendant does not formally oppose the Amended Complaint to correct the
3 typographical error.

4 WHEREFORE, the parties respectfully request that the Court grant the Stipulation to Amend
5 Plaintiffs' Complaint for Negligence, Strict Products Liability and Breach of Warranty, and for all
6 other relief to which they may be entitled.
7

8 Dated: _____

LEVIN SIMES KAISER & GORNICK LLP

10
11 By: _____

Lawrence J. Gornick
Emily Charley

12
13 Attorneys for Plaintiff
14

15 Dated: _____

REED SMITH LLP

16
17 By: _____

James M. Wood
Colleen T. Davies
Nadia M. Bishop

18
19 Attorneys for Defendant
20 ELI LILLY AND COMPANY
21

22 **ORDER**

23
24 PURSUANT TO STIPULATION, IT IS SO ORDERED

25 Dated: 6/5/2006

26 

27 The Honorable Martin J. Jenkins
28

JUN. 1, 2006 10:25AM

LSK&G

NO. 2016 P. 9/9

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